



Docket No.: PB340P2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Choi et al.

Application No.: 08/961,083

Group Art Unit: 1645

Filed: October 30, 1997

Examiner: Jana A. Hines

For: *Streptococcus pneumoniae* Antigens and
Vaccines

Sep Amdt
29/F
henda
1/2/03

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE REGULATIONS AND
STATEMENT UNDER 37 C.F.R. §1.825

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed November 14, 2002 (Paper No. 28), Applicants submit herewith a Substitute Sequence Listing for the above captioned application. A paper copy and a computer readable form of the original sequence listing, together with a Statement Under 37 C.F.R. 1.821 and 1.825, were submitted with an Amendment on April 27, 2000, but the computer readable form apparently was not received by the Patent and Trademark Office.

Applicants submit herewith a substitute computer readable form and a substitute paper copy of the sequence listing. The sequence listing filed on April 27, 2000 did not describe nucleotide 1368 ("n") of SEQ ID NO:1 or residue 456 ("Xaa") of SEQ ID NO:2, which is corrected in the attached Substitute Sequence Listing. Applicants hereby certify that the content of the paper copy and the computer readable form of the Substitute Sequence Listing submitted

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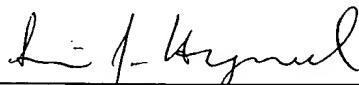
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herewith are the same. Applicants further certify that the amendments to the sequence listing are supported by the specification.

Respectfully submitted,

Dated: 13 December 2002


Lin J. Hymel (Reg. No. 45,414)
Attorney for Applicants

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MJH/LJH/rmr

1604 11-15-02 BOX-SEQUENCE

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PTO/SB/17 (10-02)

Approved for use through 10/31/2002. OMB 0651-0032

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	08/961,083
Filing Date	October 30, 1997
First Named Inventor	Gil H. Choi et al.
Examiner Name	Jana A. Hines
Group Art Unit	1645
Attorney Docket No.	PB340P2

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number 08-3425

Deposit Account Name Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	400	2252	200
1253	920	2253	460
1254	1,440	2254	720
1255	1,960	2255	980
1401	320	2401	160
1402	320	2402	160
1403	280	2403	140
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,280	2453	640
1501	1,280	2501	640
1502	460	2502	230
1503	620	2503	310
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	740	2809	370
1810	740	2810	370
1801	740	2801	370
1802	900	1802	900

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	8	-20** =		= 0.00
Independent Claims	2	-3** =		= 0.00
Multiple Dependent				

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	84	2201 42 Independent claims in excess of 3
1203	280	2203 140 Multiple dependent claim, if not paid
1204	84	2204 42 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY					Complete (if applicable)	
Name (Print/Type)	Lin J. Hymel	Registration No. (Attorney/Agent)	45,414	Telephone	(301) 251-6015	
Signature	<i>Lin J. Hymel</i>		Date	December 13, 2002		

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

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IPPE

TRADEMARK REG.

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: The amendment of April 27, 2000 refers to a submitted CRF for the amended sequences, however no such form has been received by the office; therefore applicant is asked to resubmit the CRF and associated information.

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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